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RESOLUTION NO. 23-1567

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE INTENT TO GRANT A UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE (APS) FOR THE CONSTRUCTION OF FUTURE SOLAR PANEL PARKING STRUCTURES AT TWO CITY-OWNED SITES THROUGH THE SOLAR COMMUNITIES PROGRAM.

WHEREAS, the City of Douglas and APS seek to partner to provide renewable energy and solar panel covered parking structures for the community; and

WHEREAS, the City of Douglas is committed to promoting clean and sustainable energy solutions and reduce its environmental foot print that benefit the community; and

WHEREAS, the Solar Communities program, administered by Arizona Public Service Company (“APS”), seek to expand renewable energy resources and enhance access to solar power for the benefit of local communities; and

WHEREAS, the City of Douglas submitted an application to the Solar Communities program for two city-owned sites, to provide the city with affordable, clean energy and environmental benefits;

WHEREAS, the city recognizes the value of participating in the Solar Communities program to advance its sustainability goals, promote economic development, and reduce greenhouse gas emissions;

WHEREAS, APS intends to design and construct solar panel parking structures at two city-owned sites within the City of Douglas as part of the Solar Communities program; and

WHEREAS, APS requires the city’s consent to grant a future utility easement to facilitate the installation, maintenance, and operation of the solar panel parking structures once their specific design and infrastructure placement are determined;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Douglas, Arizona, as follows:

Section 1. Expression of Intent

The City of Douglas authorizes to grant a utility easement to Arizona Public Service Company (APS) for the purpose of constructing, operating, maintaining, and accessing solar panel parking structures at the following city-owned sites through the Solar Communities program:

1. City of Douglas Municipal Golf Course, Parcel Number 41008001, THAT POR OF SEC 6 LOCATED ELY OF THE COCHISE COUNTY FAIRGROUNDS NLY & ELY OF SLY LINE OF FAIRWAY DR ELY OF CAMINO PERILLA AND WLY OF THE ELY BNDRY OF THE DOUGLAS CITY LIMIT LINE ESTABLISHED IN ORD #690 THAT IS LOCATED IN THE NWNE OF SEC 6 EXC THE FLLWNG ANY POR OF RANCHO PERILLA ESTATES AND 410-08-004A & B AND FURTHER EXC THE NOR 33' THEREOF (AKA A POR THE OF DOUGLAS GOLF COURSE) SEC 6- 24-28 94.466AC +/-

- 1 2. City Hall Parcel Number 409070722, DOUGLAS LOT 13 14 BLK 86, Parcel Number 40907081,
2 DOUGLAS LOTS 31 32 BLK 86, Right-of-way H Avenue Streets are 70' wide, except 8th, 9th,
3 and 10th, which are 90' wide, Ave's "F" & "G", International & Rail Road Ave's, which are 100'
4 wide. Alleys are 16' wide. Blocks are 300' x 400'. Lots are 25' x 142', except those fronting
5 Ave's "F" and "G", and the Plaza on the east and west, which are 25' x 134'.

6 **Section 2. Future Easement Agreement**

7 The city acknowledges that the specific terms and conditions of the utility easement, including its
8 location and scope, will be determined in a future agreement between the City of Douglas and APS
9 once the design and infrastructure placement of the solar panel parking structures are finalized.

10 **Section 3. City Cooperation**

11 The city shall cooperate with APS in good faith to facilitate the granting of the utility easement upon
12 completion of the design phase of the solar panel parking structures, and work to finalize the terms
13 of the easement and any necessary legal documentation.

14 **Section 4. Effective Date**

15 This resolution expressing the city's intent to grant a utility easement to APS shall become effective
16 immediately upon its adoption by the City Council.

17 **PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 11th day
18 of October 2023.

19 _____
20 Donald C. Huish, Mayor

21 Attest:

22 Approved as to Form:

23 _____
24 Alma Andrade, City Clerk

25 _____
26 Denis Fitzgibbons, City Attorney

27 Prepared by:
28 Daritza Villalobos, Grants Coordinator